

REMARKS

Applicant has amended the above-identified application responsive to the Office Action dated July 28, 2005.

Applicant has amended claims 1, 11, 13, and 19-26 in order to both overcome the indefiniteness and prior art rejections indicated by the Examiner. Claims 8, 14 and 15 have been canceled. Accordingly, claims 1, 2, 4-6, 11, 13 and 19-26 remain pending.

Applicant has amended the claims to address the Section 112 rejections set forth on pages 2 and 3. In particular, and as is now made clear by the wording of the claims, the lengthwise extending wall and vertically extending end cap support refer to features not forming a part of the recited invention. For this reason, references in the body of the claim utilize the term “the” in reference to either the wall or end cap, and in contrast to use of the term “said” in reference to any of the previously and positively recited elements of the aisle way extending bracket. It is therefore submitted that there are no combination/subcombination issues in regards to the manner in which the lengthwise extending wall and vertically extending end cap are worded.

Applicant has further amended each of the independent claims, namely each of claims 1, 13 and 19-26 to further distinguish the end cap extender bracket from each and every of the prior art references cited. In particular, each of the base claims now additionally recites that the support arm is adapted to extend beyond the vertically extending end cap in a substantially parallel direction relative to the surface of the lengthwise extending wall *and into an aisle end extending beyond the wall for supporting additional volumes of merchandise accessible from the aisle end location*. Support for this clarifying recitation is provided throughout the specification and claims of the application, and such as for example on page 4, lines 1 et seq.

None of the cited prior art references, and in particular the Shea patents 6,202,866 or 6,199,706, teach or suggest an aisle way end extender bracket capable of being mounted to a display wall, in proximity to its associated and vertically extending end cap, and in order to project into the dead space associated with the aisle way. Both of the Shea patents teach a type of merchandising display assembly, including either a swinging panel or a fixed vertically extending bar, which is secured to a bracket support engaging a facing surface of a lengthwise extending wall, and not extending in coplanar fashion relative to the wall and beyond the end cap.

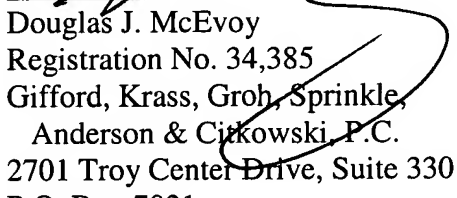
Accordingly, neither of the Shea patents teach or suggest the features of the end cap bracket as set forth in the claims of the application. It is further noted to the Examiner that the inventorship and ownership of the Shea patents is the same as in the present application.

Referencing further the Zarrow and Zilincar references, Applicant again avers that the distinguishing features of the present invention, as argued above, likewise distinguish over these secondarily cited patents. As the several remaining dependent claims, the distinguishing aspects of the independent claims from which they derive support are reiterated.

Finally, claims 13 and 20 have been amended for formal allowance, such as by inserting the allowable features of claim 8 into a further amended claim 20, as well as the features of allowable dependent claim 15 and intermediate dependent claim 14 into a further amended claim 13.

Accordingly, it is respectfully submitted that all of the remaining claims are allowable, as amended or added herein, and favorable action is respectfully requested. Attorney for Applicant may be contacted at (248) 647-6000 with any questions the Examiner may have.

Respectfully submitted,



Douglas J. McEvoy
Registration No. 34,385
Gifford, Krass, Groh, Sprinkle,
Anderson & Citkowski, P.C.
2701 Troy Center Drive, Suite 330
P.O. Box 7021
Troy, MI 48007-7021
(248) 647-6000

Attorney for Applicant

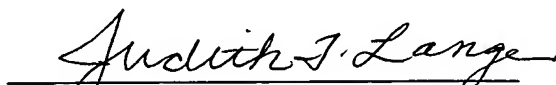
GS-W:\Word Processing\djm\STM17402-amd2.doc

CERTIFICATE OF MAILING BY "EXPRESS MAIL"

"EXPRESS MAIL" MAILING LABEL NUMBER EV734434932US

DATE OF DEPOSIT October 26, 2005

I hereby certify that this paper or fee (along with any paper referred to as being attached or enclosed) is being deposited with the United States Postal Service "Express Mail Post Office To Addressee" Service under 37 CFR 1.10 on the date indicated above and is addressed to: Mail Stop Amendment, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.



Judith T. Lange